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VIA ECF

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

**RE: U.S.A. v. Nemazee, Criminal Action No.: 1:09-902 (SHS) – Motion to
Modify Supervised Release – Hearing Requested**

Dear Judge Stein:

This letter replaces the letter that was filed earlier today in which the subject line erroneously indicated that Mr. Nemazee's request exclusively sought to terminate supervised release. This letter is identical in every way except that it corrects the subject line and includes this explanation.

In accordance with Individual Rule 2.F and Rule 32.1(c) of the Federal Rules of Criminal Procedure, Hassan Nemazee hereby requests that the Court hold a hearing on his motion to modify the conditions of Supervised Release and in the alternative, to terminate supervised release pursuant to 18 U.S.C. §3583(e)(1) and (2).

Federal Rule of Criminal Procedure 32.1(c)(1) states that generally, before modifying the conditions of supervised release, the Court must hold a hearing. Although Rule 32.1(c)(2) provides an exception to the hearing requirement when the "relief sought is favorable," the adverse and arbitrary measures taken against Mr. Nemazee, including and especially transferring his case to Intense Supervision and denying his travel requests without cause or review, have effectively constituted an unfavorable modification.

Accordingly, a hearing would not only help the Court in rendering a just decision on this matter, where clear adverse measures have already been taken, but will also allow Mr. Nemazee and a witness, Ms. Nazie Eftekhari, with the opportunity to address the Court on this subject.

Respectfully submitted,

/s/ *Lawrence G. McMichael*

Lawrence G. McMichael

cc: AUSA Michael Dennis Lockard (via ECF michael.lockard@usdoj.gov)